

## Federal Communications Commission

DA 02-1898

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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AUG 19 2002

FCC - MAILROOM

In the Matter of

Amendment of Section 73.622(b),  
Table of Allotments,  
Digital Television Broadcast Stations.  
(Victoria, Texas)

MM Docket No. 01-161  
RM-10181

**REPORT AND ORDER**  
**(Proceeding Terminated)**

Adopted: August 2, 2002

Released: August 9, 2002

By the Chief, Video Division:

1. At the request of Surtsey Productions, Inc. ("Surtsey"), licensee of station KVCT-TV, Victoria, Texas, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 14490 (2001), proposing the substitution of DTV channel 11 for station KVCT-TV's assigned DTV channel 34. Surtsey filed comments stating its intention to promptly construct and operate on DTV channel 11, if allotted. No other comments were received.

2. We believe the public interest would be served by substituting DTV channel 11 for DTV channel 34 since it would permit station KVCT-DT to share tower facilities and help reduce Surtsey's transition costs. DTV channel 11 can be allotted to Victoria, Texas, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 28-50-26 N. and 97-07-47 W. Since the community of Victoria is located within 275 kilometers of the U.S.-Mexican border, concurrence from the Mexican government was obtained this allotment. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station KVCT-DT with the following specifications:

<u>State &amp; City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
TX Victoria	11	18	311	229

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective September 23, 2002, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Victoria, Texas	11, 15

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Surtsey Productions, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 11 in lieu of DTV Channel 34 station KVCT-DT.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau